

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francesco Pompei

Continuation Application of

Application No.: 10/300,069

Filed: November 20, 2002

For: Ambient and Perfusion Normalized Temperature Detector

Date: <u>12/16/03</u>
EXPRESS MAIL LABEL NO. <u>EV215729595US</u>

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☒ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☒ Copies of the cited references are enclosed except those entered in prior applications, U.S. Application Nos. 10/300,069, 09/941,174, 09/564,403 and 08/881,891, to which priority under 35 U.S.C. 120 is claimed. [The earlier applications contain copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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Dated: 12/16/3

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 0243.1040-008		CONT. OF APPLICATION NO. 10/300,069				
INFORMATION DISCLOSURE CITATION IN AN APPLICATION December 16, 2003 (Use several sheets if necessary)		APPLICANT Francesco Pompei						
		FILING DATE		CONFIRMATION NO.	GROUP			
U.S. PATENT DOCUMENTS								
EXA M- INER INI- TIAL		DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME				
	AA	4,784,149	11/1988	Berman et al.				
	AB	4,846,583	07/1989	Yamamoto				
	AC	4,993,419	02/19/91	Pompei et al.				
	AD	5,024,533	06/1991	Egawa et al.				
	AE	5,150,969	09/1992	Goldberg et al.				
	AF	5,167,235	12/1992	Seacord et al.				
	AE	5,232,284	08/1993	Egawa et al.				
	AH	5,271,407	12/21/93	Pompei et al.				
	AI	5,333,784	08/02/94	Pompei				
	AJ	5,381,796	01/17/95	Pompei				
	AK	5,445,158	08/29/95	Pompei				
	AA2	5,653,238	08/05/97	Pompei				
	AB2	5,743,644	04/28/98	Kobayashi et al.				
	AC2	5,874,736	02/23/99	Pompei				
	AD2	RE 34,789	11/15/94	Fraden				
	AE2	6,299,347	10/2001	Pompei				
	AF2	6,056,435	05/2000	Pompei				
	AG2	5,872,362	02/1999	Pompei				
	AH2	5,469,855	11/1995	Pompei et al.				
	AI2	5,229,612	07/1993	Pompei et al.				
	AJ2	5,159,936	11/1992	Yelderman				
	AK2	6,499,877 B2	12/2002	Pompei				
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AE	0 446 788 A1	09/18/91	EP				
	AM	0 763 349 A2	03/19/97	EP				
EXAMINER				DATE CONSIDERED				